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PTO/SB/31 (04-05)

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>JUNE 21, 2006</u> Signature <u>Clifford Kraft</u> Typed or printed name <u>CLIFFORD KRAFT</u>		In re Application of <u>DAVID BACH et al.</u>	
		Application Number <u>09/845,489</u>	Filed <u>4-30-01</u>
		For <u>MICRO-ARRAY EVANESCENT WAVE FLUORESCENCE DETECTION</u>	
		Art Unit <u>1641</u>	Examiner <u>CHEU</u>
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))		\$ <u>500.00</u>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ <u>250.00</u>	
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<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.			
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<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.			
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>			
I am the			
<input type="checkbox"/> applicant/inventor.		<u>Clifford Kraft</u> Signature	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		<u>CLIFFORD KRAFT</u> Typed or printed name	
<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>35,229</u>		<u>708 528-9092</u> Telephone number	
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____		<u>JUNE 21, 2006</u> Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			

<input type="checkbox"/> *Total of <u>1</u> forms are submitted.
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This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:	)	Art Unit: 1641
	)	
David Bach et al.	)	Examiner: Jacob Cheu
	)	
Serial No.: 09/845,489	)	
	)	
Filing Date: April 30, 2001	)	
	)	
Title: MICRO-ARRAY EVANE-	)	
ESCIENT WAVE	)	
FLUORESCENCE DETECTION	)	
DEVICE	)	
	)	

NOTICE OF APPEAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA. 22313

Honorable Commissioner:

Kindly accept this NOTICE OF APPEAL. A final office  
action was issued March 24, 2006.

Respectfully Submitted

*Clifford Kraft*

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Attorney of Record

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This paper is being placed in United States First Class Mail with  
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Box 1450, Alexandria VA 22313-1450 on:

Date: JUNE 21, 2006

Signed: *Clifford Kraft*

Name: Clifford H. Kraft